IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 29462 of 2006(G)

PETITIONER:

K.P.BABU, AGED 46 YEARS,
S/O.PAPPU, KUNNEL, SINGHU KANDAM P.O.,
(VIA) MUNNAR, IDUKKI.

BY ADV. SRI.A.X.VARGHESE
SRI.A.V.JOJO

RESPONDENTS:
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1. STATE OF KERALA, REP. BY ITS
REVENUE SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

2. DISTRICT COLLECTOR, IDUKKI.

3. RE-SURVEY DEPUTY DIRECTOR,
COLLECTORATE, IDUKKI.

4. VILLAGE OFFICER, CHINNAKANAL,
UDUMPANCHOLA TALUK.

5. VIJAYAN, P.V.R.HOTEL,
POOPPARA P.O., VIA MUNNAR, IDUKKI.

6. ROY, NADUKKUDIYIL HOUSE,
(MATHSON CHAMBERS), KOTHAMANGALAM, ERNAKULAM
DISTRICT.

BY ADV. SRI.SAIBY JOSE KIDANGOOR FOR R6
SRI.M.R.NANDAKUMAR
GOVERNMENT PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/02/2007 ALONG WITH W.P.(C).33127/06, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)Nos.29462 OF 2006 & 33127 OF 2007

Dated 27th February, 2007

JUDGMENT

Koshy,J.

W.P.(C).No.29462/2006 is filed for assignment of land and W.P.(C).No.33127/2006 is filed for police protection. The 6th respondent in W.P.(C).No.29462/2006 filed a counter affidavit stating that area in question was occupied by others and petitioner is a recent encroacher. The 6th respondent asserts that he was in possession of the land. We are not deciding the question of title and possession in a petition filed under Article 226 of the Constitution of India. However, Ext.P7 in W.P.(C). 29462/2006 may be considered and disposed of with notice to the 5th respondent as well as to all other interested persons as expeditiously as possible according to law.

W.P.(C).33127/2006 is a petition for police protection. As we have already stated that we are not deciding the question of title and possession in a

petition filed under Article 226 of the Constitution of India, the only direction in the writ petition is that police to see that law and order situation is maintained in the area. Both writ petitions are disposed of accordingly.

J.B.KOSHY
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

prp